

02527 U.S. PTO  
08/28/03

Practitioner's Docket No. CHOND. 65022

PATENT

Preliminary Classification:

Proposed Class:

Subclass:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

22389 U.S. PTO  
10/650558  
08/28/03

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Harold Aberman, Timothy Simon and Douglas Jackson

For (title): CARTILAGE REPAIR PLUG

1. Type of Application

This application is for a divisional.

2. Benefit of Prior U.S. Application (35 U.S.C. § 119(e), 120, or 121)

The new application being transmitted claims the benefit of prior U.S. application. Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION IS CLAIMED.

4615.1

**EXPRESS MAILING UNDER 37 C.F.R. § 1.10\***

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GUNTHER O. HANKE

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Date: 8/28/03

  
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### 3. Papers Enclosed

- A. Required for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 (Design) Application

56 Page(s) of Specification  
3 Page(s) of Claims  
13 Sheet(s) of Drawing(s)--Formal

- B. Other Papers Enclosed

7 Page(s) of declaration and power of attorney  
1 Page(s) of abstract

### 4. Additional Papers Enclosed

Preliminary Amendment

Information Disclosure Statement (37 C.F.R. § 1.98)

### 5. Declaration or Oath

Enclosed

Executed by: Harold Aberman, Timothy Simon and Douglas Jackson.

### 6. Inventorship Statement

The inventorship for all the claims in this application is the same.

### 7. Language

English

### 8. Assignment

An assignment of the invention to Ultra Tec Manufacturing, Inc. is attached.

### 9. Fee Calculation (37 C.F.R. § 1.16)

Regular Application, Small Entity

CLAIMS AS FILED									
Number Filed		Number Extra		Rate		Basic Fee 37 C.F.R. § 1.16(a) \$375.00			
Total									
Claims (37 C.F.R. §	4	–	20	=	0	x	\$	9.00	= \$ 0.00

1.16(c))									
Independent									
Claims (37 C.F.R. §									
1.16(b))	1	–	3	=	0	x	\$	42.00	= \$ 0.00
Multiple Dependent Claim(s),									
if any (37 C.F.R. § 1.16(d))						\$	140.00	\$	0.00

Amendment cancelling extra claims is enclosed.

Small Entity Filing Fee Calculation \$375.00

**10. Fee Payment Being Made at This Time**

Enclosed

Filing Fee \$375.00

**Total Fees Enclosed \$375.00**

**11. Method of Payment of Fees**

Attached is a check in the amount of \$375.00.

Charge any additional fees required by this filing or credit any overpayment to our Deposit Account No. 21-0800.

**12. Instructions as to Overpayment**

Credit Account No. 21-0800.

**ADDED PAGES FOR APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S.  
APPLICATION IS CLAIMED  
(37 C.F.R. § 1.78)**

**13. Relate Back**

Amend the specification by inserting, before the first line following the title, the following sentence:

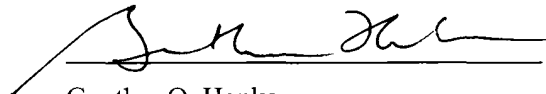
**A. 35 U.S.C. Sections 120, 121 and 365(c)**

"This application is a divisional of copending Application Number 09/797,444 filed on February 28, 2001."

**14. Further Inventorship Statement Where Benefit of Prior Application(s) is/are Claimed**

- (a) This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventors in this application are the same.

Date: 8/28/03



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